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9	BEFORE THE BOARD OF REGISTERED NURSING
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
11	
12	In the Matter of the Accusation Against: Case No. 3009-37
13	PAUL ANTHONY WAINWRIGHT 1443 North Fuller Avenue, Apt. 408  A C C U S A T I O N
14	Los Angeles, California 92004
15	Registered Nursing License No. 570748
16	Respondent.
17	
18	Complainant alleges:
19	<u>PARTIES</u>
20	1. Ruth Ann Terry, M.P.H, R.N. (Complainant) brings this Accusation solely
21	in her official capacity as the Executive Officer of the Board of Registered Nursing (Board),
22	Department of Consumer Affairs.
23	2. On or about August 23, 2000, the Board issued Registered Nursing
24	License Number 570748 to Paul Anthony Wainwright (Respondent). The license will expire on
25	January 31, 2010, unless renewed.
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## **JURISDICTION**

- 3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.
- 4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.
- 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.
  - 6. Section 2761 of the Code states, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof."

## **COST RECOVERY PROVISION**

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

## **CAUSE FOR DISCIPLINE**

## (Criminal Conviction)

8. Respondent is subject to disciplinary action under section 2761, subdivision (f) of the Code, in that Respondent was convicted of an offense substantially related

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